

**PROPOSED AMENDMENTS TO
A-ENGROSSED SENATE BILL 833**

1 On page 1 of the printed A-engrossed bill, line 3, after “802.160,” insert
2 “802.200.”

3 In line 15, delete “license or permit” and insert “type of driving
4 privileges”.

5 On page 2, line 1, delete “, if any.”.

6 In line 2, after “Administration” insert “or provides a written statement
7 that the person has not been assigned a Social Security number”.

8 On page 3, after line 10, insert:

9 “(8) Fee for reinstatement of revoked driving privileges under ORS
10 809.390, \$75.

11 “(9) Fee for reinstatement of suspended driving privileges under ORS
12 809.380, \$75.

13 “(10) Fee for reinstatement of right to apply for driving privileges after
14 a delay under ORS 809.280 (10) (1997 Edition), the same as the fee for rein-
15 statement of suspended driving privileges.”.

16 In line 35, delete “(4)” and insert “(5)”.

17 In line 38, delete “(4)” and insert “(5)”.

18 On page 9, after line 11, insert:

19 **“SECTION 14.** ORS 802.200 is amended to read:

20 “802.200. In addition to any other records the Department of Transporta-
21 tion may establish, the department is subject to the following provisions
22 concerning records:

1 “(1) The department shall maintain records concerning the titling of ve-
2 hicles in this state. The records under this subsection shall include the fol-
3 lowing:

4 “(a) For vehicles issued a title by this state, the records shall identify the
5 vehicle and contain the following:

6 “(A) The name of the vehicle owner and any security interest holders in
7 order of priority, except that a security interest holder need not be identified
8 if the debtor who granted the interest is in the business of selling vehicles
9 and the vehicles constitute inventory held for sale;

10 “(B) The name of any lessor of the vehicle;

11 “(C) The vehicle description; and

12 “(D) Whether a certificate of title was issued for the vehicle.

13 “(b) If the vehicle is an antique vehicle that is reconstructed, the records
14 shall indicate that the vehicle is reconstructed.

15 “(c) If the vehicle is a replica, the records shall indicate that the vehicle
16 is a replica.

17 “(d) Any other information concerning the titling of vehicles that the
18 department considers convenient or appropriate.

19 “(e) All odometer readings for a vehicle that are reported to the depart-
20 ment under provisions of the vehicle code.

21 “(f) If the vehicle has been reported to the department as a totaled vehicle
22 under the provisions of ORS 819.012 or 819.014, the records shall indicate
23 that the vehicle is a totaled vehicle unless the reason for the report was
24 theft and the vehicle has been recovered.

25 “(2) If a vehicle that has been registered or titled in another jurisdiction
26 is registered or titled in this state, the department shall retain a record of
27 any odometer readings shown on the title or registration documents submit-
28 ted to the department at the time of registration or title.

29 “(3) Except as otherwise provided in ORS 826.003, the department shall
30 maintain records concerning the registration of vehicles required to be reg-

1 istered by the department. The records concerning the registration of vehi-
2 cles may be stored along with records concerning the titling of vehicles. The
3 records under this subsection shall include the following:

4 “(a) For vehicles registered by the department, the records shall identify
5 the vehicle and contain the following:

6 “(A) The registration plate number assigned by the department to the
7 vehicle;

8 “(B) The name of the vehicle owner;

9 “(C) The vehicle description and vehicle identification number; and

10 “(D) An indication that the vehicle is a totaled vehicle if it has been re-
11 ported to the department as a totaled vehicle under the provisions of ORS
12 819.012 or 819.014, unless the reason for the report was theft and the vehicle
13 has been recovered.

14 “(b) Any other information concerning the registration of vehicles that
15 the department considers convenient or appropriate.

16 “(4) The department shall maintain separate records for the regulation
17 of vehicle dealers. The records required under this subsection shall include
18 the following information about persons issued dealer certificates:

19 “(a) The person’s application for a vehicle dealer certificate.

20 “(b) An alphabetical index of the name of each person applying for a ve-
21 hicle dealer certificate.

22 “(c) A numerical index according to the distinctive number assigned to
23 each vehicle dealer.

24 “(5) The department shall maintain a file on vehicles for which the title
25 record is canceled under ORS 819.030. The records required under this sub-
26 section shall disclose the last registered owner of each vehicle, any security
27 interest holder or holders and lessors of each vehicle as shown by the can-
28 celed title record for each vehicle and the make and year model for each
29 vehicle.

30 “(6) The department shall maintain a record of each agreement or decla-

1 ration under ORS 802.500 and 802.520.

2 “(7) The department shall maintain separate and comprehensive records
3 of all transactions affecting the Revolving Account for Emergency Cash
4 Advances described under ORS 802.100.

5 “(8) The department shall maintain suitable records of driver licenses,
6 driver permits, **driver cards** and identification cards. The records required
7 under this subsection shall include all of the following:

8 “(a) An index by name and number.

9 “(b) Supporting documentation of all driver licenses, driver permits,
10 **driver cards** or identification cards issued.

11 “(c) Every application for a driver license, driver permit, **driver card** or
12 identification card.

13 “(d) All driver licenses [*or*], driver permits **or driver cards** that have
14 been suspended or revoked.

15 “(e) **Except as provided in paragraph (f) of this subsection**, for each
16 driver license, driver permit or identification card, the Social Security num-
17 ber of the person to whom the driver license, driver permit or identification
18 card is issued or proof that the person is not eligible for a Social Security
19 number.

20 “(f) **For each driver card, the Social Security number of the person**
21 **to whom the driver card is issued or a written statement that the**
22 **person has not been assigned a Social Security number.**

23 “[*f*] (g) For each commercial driver license, the Social Security number
24 of the person to whom the license is issued, or any other number or identi-
25 fying information that the Secretary of the United States Department of
26 Transportation determines appropriate to identify the person.

27 “(9) The Department of Transportation shall maintain a two-part driving
28 record consisting of an employment driving record and a nonemployment
29 driving record for each person as required under this subsection. All of the
30 following apply to the records required under this subsection:

1 “(a) The department shall maintain driving records on:

2 “(A) Every person who is granted driving privileges under a driver li-
3 cense, driver permit, **driver card** or a statutory grant of driving privileges
4 under ORS 807.020;

5 “(B) Every person whose driving privileges have been suspended, revoked
6 or canceled under this vehicle code;

7 “(C) Every person who has filed an accident report under ORS 811.725 or
8 811.730; and

9 “(D) Every person who is required to provide future responsibility filings
10 under ORS 806.200, 806.220, 806.230 or 806.240.

11 “(b) In addition to other information required by this paragraph, the em-
12 ployment driving record shall include all reports of drug test results that are
13 made to the department under ORS 825.410. Notwithstanding any other pro-
14 vision of law, release of the portion of the employment driving record that
15 shows drug test results reported under ORS 825.410 is permitted only in ac-
16 cordance with ORS 802.202. The employment driving record shall also include
17 all motor vehicle accidents that the person is required to report under ORS
18 811.720, all suspensions of driving privileges required to be placed on the
19 record under ORS 809.280, all suspensions of the person’s commercial driver
20 license that result from operation or use of a commercial motor vehicle and
21 all convictions of the person for violation of motor vehicle laws except con-
22 victions for offenses requiring mandatory revocation or suspension of driving
23 privileges under ORS 809.409, 809.411, 809.413 and 813.400, but shall include
24 only such accidents, suspensions and convictions that occur while the person
25 is driving a motor vehicle:

26 “(A) In the course of the person’s employment when the person is em-
27 ployed by another for the principal purpose of driving a motor vehicle;

28 “(B) Carrying persons or property for compensation;

29 “(C) In the course of the person’s employment in the collection, trans-
30 portation or delivery of mail if the vehicle is government owned or marked

1 for the collection, transportation or delivery of mail in accordance with
2 government rules;

3 “(D) That is an authorized emergency vehicle;

4 “(E) That is a commercial motor vehicle; or

5 “(F) In the course of the person’s employment with a federal, state or lo-
6 cal government in a public works project involving repair or maintenance
7 of water, sewer or road systems.

8 “(c) The nonemployment driving record shall include the person’s:

9 “(A) Motor vehicle accidents that the person is required to report under
10 ORS 811.720, other than the motor vehicle accidents that are included on the
11 person’s employment driving record;

12 “(B) Suspensions, cancellations and revocations of licenses, permits and
13 driving privileges;

14 “(C) Convictions for violation of the motor vehicle laws other than those
15 included in the employment driving record including, for each violation of
16 ORS 811.100 or 811.111, the speed at which the person was convicted of
17 traveling and the posted speed, the speed limit or the speed that constitutes
18 prima facie evidence of violation of the basic speed rule, as appropriate; and

19 “(D) Diversion agreements entered into under ORS 813.220 within the
20 preceding 15 years.

21 “(d) The department may record other entries to indicate correspondence,
22 interviews, participation in driver improvement programs or other matters
23 concerning the status of the driving privileges of the person.

24 “(e) When a person from another jurisdiction applies for a driver license
25 or driver permit issued by this state, the department shall request a copy of
26 the person’s driving record from the other jurisdiction. At the time the per-
27 son is issued a license in Oregon, the record from the other jurisdiction shall
28 become part of the driver’s record in this state with the same force and effect
29 as though entered on the driver’s record in this state in the original in-
30 stance. The department by rule may specify methods for converting entries

1 from out-of-state records for use in Oregon.

2 “(f) When a suspension of a driver permit, driver license or other driving
3 privilege is placed on the driving record under ORS 809.280 for failure to
4 appear in court on a traffic crime, the department shall note on the record
5 that the suspension was for failure to appear in court and shall also note the
6 offense charged against the person on which the person failed to appear.

7 “(g) The Department of Transportation, in consultation with the Depart-
8 ment of State Police, shall devise and implement a method of noting sus-
9 pensions and revocations of driving privileges on the record in such a way
10 that police agencies can determine directly from the record what class of
11 offense, as provided by law, is committed by a person who drives in violation
12 of the suspension or revocation. If the Department of Transportation and the
13 Department of State Police devise a mutually agreeable alternative method
14 of informing police agencies of the nature of a suspension or revocation and
15 the consequences of its violation, the implementation of that method shall
16 satisfy the duty of the Department of Transportation under this paragraph.

17 “(10) The Department of Transportation shall maintain records of judg-
18 ments or convictions sent to the department under ORS 810.375.

19 “(11) The department shall maintain accident reports filed with the de-
20 partment under ORS 810.460 and 811.725 to 811.735.

21 “(12) The department shall maintain records of bank checks or money
22 orders returned under ORS 802.110.

23 “(13) The department shall maintain records of trip permits issued by the
24 department under ORS 803.600, as provided under this subsection. The re-
25 cords required by this subsection shall include the following:

26 “(a) A description of the vehicle sufficient to identify the vehicle.

27 “(b) The person to whom the permit was issued.

28 “(c) When the permit was issued.

29 “(d) The type of permit issued.

30 “(e) For registration weight trip permits, the maximum allowable regis-

1 tration weight permitted for operation under the permit.

2 “(f) Any other information the department determines appropriate or
3 convenient.”.

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